



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL CLEANUP

August 13, 2009

Jim McKenna, Superfund Project Manager
Port of Portland
121 NW Everett
P.O. Box 3529
Portland, Oregon 97208

Re: Port of Portland Request for Extension of Response to First Request for Information;
Portland Harbor Superfund Site, Portland, Oregon

Dear Mr. McKenna:

EPA is in receipt of the letter dated August 12, 2009, requesting an additional extension of time for response to EPA's letter dated January 18, 2008, regarding First Request for Information; Portland Harbor Superfund Site, Portland, Oregon, for the Port of Portland. In your letter, you requested an extension to respond as follows:

- October 14, 2009 – Supporting documentation for End of Swan Island Lagoon and Terminal 4 Auto Storage Area;
- November 16, 2009 – Evraz Oregon Steel Mills/Simplot sites response;
- November 30, 2009 – Supporting documentation for Evraz Oregon Steel Mills/Simplot sites;
- March 17, 2010 – Updated response for Portland Shipyard;
- March 30, 2010 – Supporting documentation for Portland Shipyard;
- May 17, 2010 – Updated response for Terminal 4; and
- May 31, 2010 – Supporting documentation for Terminal 4.

Based upon the circumstances you presented and discussions you have had with Kristine Koch of my staff and Lori Houck Cora of our legal staff, EPA believes that your extension request is reasonable and has extended the due date for your response to this first Information Request as follows:

- October 14, 2009 – Response documents and supporting documentation for End of Swan Island Lagoon and Terminal 4 Auto Storage Area;
- November 30, 2009 – Response document and supporting documentation for Evraz Oregon Steel Mills/Simplot sites;
- March 30, 2010 – Updated response and supporting documentation for Portland Shipyard; and
- May 31, 2010 – Updated response and supporting documentation for Terminal 4.

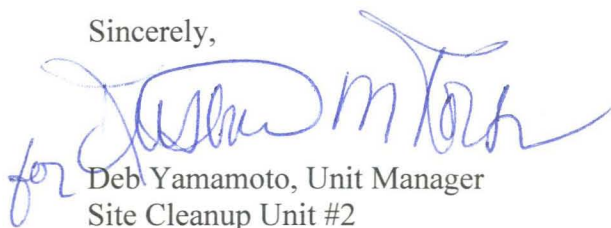
EPA has simplified your request submittal so that the response and supporting documents are provided together since this will make it easier for EPA to track, process, and review. Please note that this will be the last extension granted notwithstanding extraordinary circumstances outside of your control.

Failure to respond fully and truthfully to the Information Request by the due date provided in this letter may result in an enforcement action by EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1995, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than \$37,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

If you have any general questions about the Site, you may call Kristine Koch at (206) 553-6705, or contact her by email at koch.kristine@epa.gov. If you have legal questions about this letter or if you are represented by legal counsel, you or your attorney may contact Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or cora.ori@epa.gov. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "for Deb Yamamoto".

Deb Yamamoto, Unit Manager
Site Cleanup Unit #2
Office of Environmental Cleanup

cc: Ms. Kristine Koch
USEPA

Ms. Sara Moore
Port of Portland

Ms. Lori Houck Cora
USEPA

Ms. Carla Kelley
Port of Portland

Mr. David Ashton
Port of Portland